

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 17**

THE MISSOURI DEMOCRATIC PARTY

and

Case 14-CA-270610

(b) (6), (b) (7)(C), an Individual

**ORDER REFERRING PETITION TO REVOKE
SUBPOENA DUCES TECUM TO ADMINISTRATIVE LAW JUDGE**

A Petition to Revoke Subpoena Duces Tecum No. B-1-1E8KLJN¹ having been filed with the Acting Regional Director on November 18, 2021 by counsel for Respondent,

IT IS ORDERED, pursuant to Section 102.31(b) of the Board's Rules and Regulations, that the Petition is hereby referred to the Administrative Law Judge for ruling.

Dated: November 19, 2021



WILLIAM B. COWEN
ACTING REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 14
1222 SPRUCE STREET
ROOM 8.302
SAINT LOUIS, MO 63103-2829

¹ Respondent's Petition and the corresponding Subpoena is attached as Exhibit A.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 7**

**THE MISSOURI DEMOCRATIC
PARTY,**

EMPLOYER

AND

(b) (6), (b) (7)(C),

AN INDIVIDUAL.

CASE NO.: 14-CA-270610

**THE MISSOURI DEMOCRATIC
PARTY'S PETITION TO
REVOKE SUBPOENA DUCES
TECUM NO.: B-1-1E8KLJN**

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The Missouri Democratic Party

**THE MISSOURI DEMOCRATIC PARTY’S PETITION TO REVOKE SUBPOENA
DUCES TECUM NO.: B-1-1E8KLJN**

The Employer, The Missouri Democratic Party (“Employer” or “MDP”), by and through its counsel of record, Jackson Lewis P.C., hereby respectfully petitions to revoke, in part, Subpoena Duces Tecum No.:B-1-1E8KLJN (the “Subpoena”). The Subpoena was served on November 11, 2021. Pursuant to the Board’s Rules and Regulations, Section 102.31(b), 29 CFR § 102.31(b), the Subpoena shall be revoked if “evidence whose production is required does not relate to any matter under investigation or in question in the proceedings or the subpoena does not describe with sufficient particularity the evidence whose production is required, or if for any other reason sufficient in law the subpoena is otherwise invalid.” The purpose of a subpoena is to discover and procure evidence, not to be a broad-based fishing expedition. *See Oklahoma Press Publishing Co. v. Walling*, 327 U.S. 186, 201 (1946). “Subpoenas duces tecum should seek relevant evidence and should be drafted as narrowly and specifically as is practicable.” *See* NLRB Casehandling Manual (Part One) Unfair Labor Practice Proceedings § 11776.

On November 17 and 18, 2021, the parties held teleconferences to meet and confer about the subpoena and the possibility of obtaining certain stipulations. On November 17, 2021, Counsel for the General Counsel emailed MDP, confirming its agreement to some of the discussed stipulations and its agreement to reduce the need for some of the requested documentation in dispute.

Despite the parties’ attempts to resolve the need to produce certain information, the parties cannot agree. Portions of the Board’s subpoena are overly broad and not narrow or specific with respect to the actual complaint allegations; therefore, Respondent respectfully petitions the Subpoena be partially revoked pursuant to well-established standards.

GENERAL OBJECTIONS

In support of this Petition to Revoke, MDP asserts the following objections in response to each individual item in the Subpoena, to the extent they are applicable:

1. **“Ambiguity objection”**: Some requests are capable of several different meanings, vague, or unintelligible, and MDP cannot determine what is being sought without further clarification. Accordingly, where a response is provided following the assertion of an ambiguity objection, that answer is based on MDP’s understanding as to the meaning of the request.
2. **“Burden objection”**: The time and expense of compiling the information sought would be, in light of its relevance and materiality (if any), unduly burdensome and expensive, either because of the volume of information requested or because the information requested cannot be ascertained without an oppressive review of countless events and matters with numerous individuals or both. In determining if a subpoena is to be revoked for “any other reason sufficient in law,” the Board looks to the Federal Rules of Civil Procedure for guidance, *see Brink’s Inc.*, 281 NLRB 468 (1986) (finding that the subpoena did not meet standards prescribed by the Federal Rules of Civil Procedure). Rule 26 of the Federal Rules of Civil Procedure provides that discovery may be limited where it is unduly burdensome or expensive. Fed. R. Civ. P. 26(b). As such, a subpoena is properly revoked where production of the subpoenaed material creates an unreasonable or undue burden or where relevance is outweighed by the oppressive nature of the request. *See NLRB v. Brown Transportation Corp.*, 620 F.Supp. 648, 652 (N.D. Ill. 1985); *Priest v. Rotary*, 98 F.R.D. 755, 757-758 (N.D. Cal. 1983). As set forth below, MDP asserts this objection when the request seeks documents which would be unduly burdensome and expensive for MDP to produce when balanced against their probative value, or when the request is overly

broad with respect to time and scope and therefore would call for large-scale review and retrieval of documents from numerous areas of MDP's records.

3. “Confidentiality objection”: The information sought is of a confidential or proprietary nature or involves employee privacy interests that outweigh the value of disclosure, and if produced at all, may be subject to a protective order. Accordingly, to the extent MDP produces any documents pursuant to the Subpoena, MDP may redact employee private information (such as social security numbers and banking information) and information relating to MDP customers and vendors.

4. “Overbroad objection”: MDP objects to the request as unduly burdensome and oppressive to the extent it calls for the wholesale production of documents without reasonable limitation or qualification. Moreover, the information sought includes matters that are not involved in this case or the request is so sweeping that compliance is unreasonable. It has been recognized that a subpoena should not be used by the NLRB to engage in a “fishing expedition.” *See* NLRB Casehandling Manual ¶ 11796; *see also Walling*, 327 U.S. 186 (1946). Moreover, under Rule 26(b) of the Federal Rules of Civil Procedure, “parties may obtain discovery regarding any nonprivileged matter *that is relevant to any party’s claim or defense...*” (Emphasis added). MDP has asserted this objection when the request goes well beyond the scope of relevancy required by NLRB Rules and Regulations, § 102.66, 29 CFR § 102.66, and permitted by the Federal Rules of Civil Procedure.

5. “Privilege objection”: The request is objectionable to the extent it seeks information protected by the attorney-client privilege and/or work product doctrine in that it seeks Employer’s

attorneys' impressions, conclusions, opinions, legal research, and theories as to Employer's defenses both in this and or any other proceedings.

6. “Relevance objection”: Documents sought by subpoena *duces tecum* must be relevant to an issue raised by the Complaint. *See* Rules and Regulations, § 102.31(b), 29 CFR § 102.31(b); *NLRB v. Pinkerton’s, Inc.*, 621 F.2d 1322, 1326 (6th Cir. 1980) (“The Board or the Hearing Officer has the power to revoke a subpoena. . . . If the party does not demonstrate that the requested material is relevant[.]”) [internal citations omitted]; *NLRB v. Adrian Belt Co.*, 578 F.2d 1304 (9th Cir. 1978); *NLRB v. Bancroft Manufacturing Co., Inc.*, 516 F.2d 436, 447 (5th Cir. 1975); *Federal Trade Commission v. Anderson*, 631 F.2d 741, 746 (D.C. Cir. 1979). The party requesting the documents has the burden of establishing their relevancy. *Pinkerton’s, Inc.*, 621 F.2d at 1326 (6th Cir. 1980). To satisfy this burden, the requesting party must provide evidence supporting its claim of relevancy and not rely solely upon allegations. *Id.* If the requesting party fails to establish the relevancy of the information, the subpoena must be revoked. 29 CFR § 102.31(b). This objection has been asserted when the specific request has no bearing on the issues in this proceeding and the NLRB has not, and cannot, proffer evidence of the relevancy of the request. If the subpoenaed information is not reasonably relevant, the subpoena should be revoked. *See Hispanics United of Buffalo*, 359 NLRB No. 37 (2012) (respondent’s subpoena was properly revoked by the judge as an unwarranted “fishing expedition” as the respondent failed to show that such information was relevant to any issue in dispute); and *NLRB v. Jackson Hospital Corp.*, 557 F.3d 301, 305–06 (6th Cir. 2009) (ALJ did not violate respondent’s due process rights in compliance proceeding by quashing its subpoena to the extent it sought discriminatees’ personal banking and other records relating to private financial obligations, as employer failed to establish

a reasonable suspicion to believe that the discriminatees were hiding income), *enfg.* 352 NLRB 194 (2008).

7. **“Temporal scope”**: The request is objectionable to the extent it seeks information from a time period that is overbroad, harassing, and burdensome as the request encompasses a far greater period than the allegations included in the Complaint.

8. **“Source objection”**: The information sought by the request is not available to MDP, or is not in the possession or control of employees or agents of MDP, or is part of the public domain and readily available to the Region absent MDP’s assistance, or is obtainable from some other source that is more convenient, less burdensome, or less expensive. MDP is in the process of evaluating and preparing a response to the Subpoena. To date, MDP has not yet completed its review. Consequently, the objections set forth below are asserted based on the apparent scope of the request, and the assertion of an objection does not necessarily indicate that MDP has documents which would be responsive to the Subpoena in its possession, custody or control.

SPECIFIC RESPONSES AND OBJECTIONS TO DOCUMENTS REQUESTED

Response and Objection to Request No. 2:

MDP objects to this Request because it is vague with respect to the term “advocacy,” overly broad and unduly burdensome. Respondent further objects to this request because it is not limited in temporal scope and encompasses a time frame far greater than any allegations included in the Complaint. This request apparently seeks to establish jurisdiction over MDP by demonstrating that MDP advocates for candidates running for non-Missouri U.S Senate and/or U.S House of Representative races. Efforts to comply with this request will require MDP to search through hundreds and thousands of emails, invoices, and other documents, searching for something

it does not have, which is clearly unduly burdensome. Without waiving this objection MDP has agreed to stipulate that it supports and advocates for democratic candidates for Congress and the U.S. Senate within the State of Missouri. Without waiving this objection Respondent suggests the appropriate time frame for this and all other requests be limited to the 2020 calendar year.

Response and Objection to Request No.3:

MDP objects to this Request as overly broad and burdensome in that it seeks information related to organizational charts and Respondent's managerial structure from January 1, 2020, to the present time. Respondent further objects to this request because it is not limited in temporal scope and encompasses a time frame far greater than any allegations included in the Complaint. Without waiving this objection Respondent suggests the appropriate time frame for this and all other requests be limited to the 2020 calendar year.

Response and Objection to Request No.15:

MDP objects to this Request as overly broad, unduly burdensome, and not limited in temporal scope because it encompasses a time frame far greater than any allegations included in the Complaint. MDP further objects to this Request to the extent it calls for production of documents protected by the attorney-client privilege and/or work product doctrine. Without waiving this objection, Respondent will stipulate that Charging Party (b) (6), (b) (7)(C) engaged in Union activities and was heavily involved in organizing the Union and collective bargaining negotiations. Without waiving this objection Respondent suggests the appropriate time frame for this and all other requests be limited to the 2020 calendar year.

Response and Objection to Request No.18:

MDP objects to this Request as overly broad, unduly burdensome, and harassing in that it seeks production of documents “read” by certain named individuals, including social media posts and messages. MDP further objects to this request because it is not limited in temporal scope and encompasses a time frame far greater than any allegations included in the Complaint. MDP further objects to this Request to the extent it calls for production of documents protected by the attorney-client privilege and/or work product doctrine. Without waiving this objection Respondent suggests the appropriate time frame for this and all other requests be limited to the 2020 calendar year.

Response and Objection to Request No.19:

MDP objects to this Request as overly broad, unduly burdensome, and harassing in that it seeks production of all written communications and other documents related to the Union’s online social media posts and alleged online petition. Respondent further objects to this request because it is not limited in temporal scope and encompasses a time frame far greater than any allegations included in the Complaint. MDP further objects to this Request to the extent it calls for production of documents protected by the attorney-client privilege and/or work product doctrine. Without waiving this objection Respondent suggests the appropriate time frame for this and all other requests be limited to the 2020 calendar year.

Response and Objection to Request No.20:

MDP objects to this Request as overly broad, unduly burdensome, and harassing in that it seeks all written communications, documents, including social media posts, and any messages about the parties’ collective bargaining negotiations. Respondent further objects to this request because it is not limited in temporal scope and encompasses a time frame far greater than any

allegations included in the Complaint. MDP further objects to this Request to the extent it calls for production of documents protected by the attorney-client privilege and/or work product doctrine. Without waiving this objection Respondent suggests the appropriate time frame for this and all other requests be limited to the 2020 calendar year.

CONCLUSION

For the foregoing reasons, MDP respectfully requests that the Subpoena Duces Tecum be revoked with respect to the objected requests set forth above, and that it be limited in temporal scope in its entirety.

DATED: November 18, 2021

JACKSON LEWIS P.C.

By /s/ Trecia Moore
Trecia Moore
Jeff M. Place
Jackson Lewis, P.C
7101 College Blvd., Suite 1200
Overland Park, KS 66210
Attorneys for MDP

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2021, I electronically filed the forgoing Petition To Revoke Subpoena Duces Tecum B-1-1E8KLJN, 14-CA-270610, with the Regional Director of Region 14, by using the Board's Electronic Filing system.

By /s/ Trecia Moore

Trecia Moore
Attorney for the Employer,
MDP
4887-9522-3812, v. 1

SUBPOENA DUCES TECUM**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**

To Custodian of Records
The Missouri Democratic Party
4218 Roanoke Road, Suite 304
Kansas City, MO 64111

As requested by PATRICK H. MYERS, Counsel for General Counsel

whose address is 1222 SPRUCE ST, RM 8.302, SAINT LOUIS, MO 63103-2829
 (Street) (City) (State) (ZIP)

YOU ARE HEREBY REQUIRED AND DIRECTED TO APPEAR BEFORE an Administrative Law Judge
 of the National Labor Relations Board

at Zoom Hearing

in the City of Saint Louis, MO

on Tuesday, December 7, 2021 at 10:00 AM or any adjourned

or rescheduled date to testify in The Missouri Democratic Party
14-CA-270610

(Case Name and Number)

And you are hereby required to bring with you and produce at said time and place the following books, records, correspondence, and documents:

SEE ATTACHMENT

If you do not intend to comply with the subpoena, within 5 days (excluding intermediate Saturdays, Sundays, and holidays) after the date the subpoena is received, you must petition in writing to revoke the subpoena. Unless filed through the Board's E-Filing system, the petition to revoke must be received on or before the official closing time of the receiving office on the last day for filing. If filed through the Board's E-Filing system, it may be filed up to 11:59 pm in the local time zone of the receiving office on the last day for filing. Prior to a hearing, the petition to revoke should be filed with the Regional Director; during a hearing, it should be filed with the Hearing Officer or Administrative Law Judge conducting the hearing. See Board's Rules and Regulations, 29 C.F.R. Section 102.31(b) (unfair labor practice proceedings) and/or 29 C.F.R. Section 102.66(c) (representation proceedings) and 29 C.F.R. Section 102.111(a)(1) and 102.111(b)(3) (time computation). Failure to follow these rules may result in the loss of any ability to raise objections to the subpoena in court.

B-1-1E8KLJN

Under the seal of the National Labor Relations Board, and by direction of the Board, this Subpoena is

Issued at SAINT LOUIS, MO

Dated: November 09, 2021



Lauren McFerran
 Lauren McFerran, Chairman

NOTICE TO WITNESS. Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed. A witness appearing at the request of the General Counsel of the National Labor Relations Board shall submit this subpoena with the voucher when claiming reimbursement.

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is mandatory in that failure to supply the information may cause the NLRB to seek enforcement of the subpoena in federal court.

ATTACHMENT

DEFINITIONS AND INSTRUCTIONS

- a. **“Document”** means any existing printed, typewritten or otherwise recorded material of whatever character, records stored on computer or electronically, records kept on microfiche or written by hand or produced by hand and graphic material, including without limitation, checks, cancelled checks, computer hard drives, discs and/or files and all data contained therein, computer printouts, E-mail communications and records, any marginal or “post-it” or “sticky pad” comments appearing on or with documents, licenses, files, letters, facsimile transmissions, memoranda, telegrams, minutes, notes, contracts, agreements, transcripts, diaries, appointment books, reports, records, payroll records, books, lists, logs, worksheets, ledgers, summaries of records of telephone conversations, summaries of records of personal conversations, interviews, meetings, accountants’ or bookkeepers’ work papers, records of meetings or conference reports, drafts, work papers, calendars, interoffice communications, financial statements, inventories, news reports, periodicals, press releases, graphs, charts, advertisements, statements, affidavits, photographs, negatives, slides, disks, reels, microfilm, audio or video tapes and any duplicate copies of any such material in the possession of, control of, or available to the subpoenaed party, or any agent, representative or other person acting in cooperation with, in concert with or on behalf of the subpoenaed party.
- b. **“Respondent”** means The Missouri Democratic Party.
- c. **“Respondent’s facility”** means the facility located at Kansas City, Missouri.
- d. **“The Union”** means the Campaign Workers Guild.
- e. **“Person” or “persons”** means natural persons, corporations, limited liability companies, partnerships, sole proprietorships, associations, organizations, trusts, joint ventures, groups of natural persons or other organizations, or any other kind of entity.
- f. **“Period covered by this subpoena”** means the period from January 1, 2020 through the date of this subpoena and the subpoena seeks only documents from that period unless another period is specified. This subpoena request is continuing in character and if additional responsive documents come to your attention after the date of production, such documents must be promptly produced.
- g. Any copies of documents that are different in any way from the original, such as by interlineation, receipt stamp, notation, or indication of copies sent or received, are considered original documents and must be produced separately from the originals.
- h. If any document covered by this subpoena contains codes or classifications, all documents explaining or defining the codes or classifications used in the document must also be produced.

- i. Electronically stored information should be produced in the form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- j. All documents produced pursuant to this subpoena should be presented as they are kept in the usual course of business or organized by the subpoena paragraph to which the document or set of documents is responsive.
- k. This subpoena applies to documents in your possession, custody, or control.
- l. If a claim of privilege is made as to any document which is the subject of this subpoena, a claim of privilege must be expressly made and you must describe the nature of the withheld document, communication, or tangible thing in a manner that, without revealing information itself privileged or protected, will enable an assessment of the claim to be made.
- m. Unless otherwise stated, this subpoena does not supersede, revoke or cancel any other subpoena(s) previously issued in this proceeding.

DOCUMENTS TO BE PRODUCED

1. Articles of Incorporation, Articles of Organization, and other documents reflecting Respondent's creation as a legal entity, including any modifications or amendments to these documents occurring during the period covered by this subpoena.
2. Documents reflecting the advocacy of Respondent during the period covered by this subpoena for Democratic political candidates running for elections to the United States Senate and/or United States House of Representatives including, but not limited to, comments, writings, postings, or images appearing on Respondent's website and/or Facebook page(s), during the period covered by this subpoena, including images and/or printouts of such postings.
3. Organizational charts and all other documents that show Respondent's managerial structure, hierarchy or chain of command for Respondent during the period covered by this subpoena, including documents that show any changes to the reporting protocols and chain of command.
4. Job descriptions, job postings, appraisals, and all other documents that show the job duties or authorities for the positions held by the following individuals at any time during the period covered by this subpoena:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

5. Documents that show all wages, benefits, and other compensation paid to (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), and (b) (6), (b) (7)(C) during the period covered by this subpoena.

6. The complete personnel and employment files (excluding medical records but including documents showing dates of employment, job titles, job duties, dates of job titles, rates of pay, corrective action or discipline, and all documents showing the reasons for corrective action or discipline) of the following individuals:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

7. Documents that indicate or reflect involvement or participation, including recommendations, by (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), and (b) (6), (b) (7)(C) in the following actions concerning Respondent's employees:
 - a) hiring
 - b) transferring
 - c) suspending
 - d) laying off
 - e) recalling
 - f) promoting
 - g) discharging
 - h) assigning work
 - i) rewarding
 - j) disciplining
 - k) scheduling or granting time off
 - l) assigning overtime
 - m) adjusting grievances
 - n) directing work
 - o) evaluating
8. Documents that show all the work rules or conditions of employment applicable to non-supervisory employees employed by Respondent at any time during the period covered by this subpoena, including documents showing any changes to the rules, the effective dates of any such changes, and a description or statement of the changes.
9. Documents that show all the work rules or conditions of employment regarding neutrality in contested Democratic primary elections and outside employment applicable to non-supervisory employees employed by Respondent at any time during the period covered by this subpoena, including documents showing any changes to the rules, the effective dates of any such changes, and a description or statement of the changes.
10. All written communications and all other documents memorializing and/or summarizing an understanding between Respondent and (b) (6), (b) (7)(C) in which the parties address the extent to which (b) (6), (b) (7)(C) could continue to perform work on behalf of 213 Group LLC after (b) (6), (b) (7)(C) hire by Respondent that were written, distributed, or received by (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), and/or (b) (6), (b) (7)(C) during the period covered by this subpoena.
11. The complete personnel and employment files (excluding medical records but including documents showing dates of employment, job titles, job duties, dates of job titles, rates of pay, corrective action or discipline, and all documents showing the reasons for corrective action or discipline) of (b) (6), (b) (7)(C).
12. All documents relied upon by Respondent in issuing employee (b) (6), (b) (7)(C) the discipline, suspension, discharge and/or adverse employment action set forth below including

all documents that show the discipline, suspension, discharge and/or adverse employment action and documents Respondent considered in deciding to take the actions:

(a) Suspension

About [REDACTED], 2020

(b) Discharge

About [REDACTED], 2020

13. Documents showing all discharges, disciplinary and/or adverse employment actions, including oral warnings, issued to Respondent's employees during the period covered by this subpoena, for reasons related to violations of Respondent's work rules or conditions of employment regarding neutrality in contested Democratic primary elections and/or outside employment, and/or for reasons related to third-party requests that an employee be removed, together with the personnel file of each disciplined employee showing all other discipline to that employee.
14. Documents showing all investigations during the period covered by this subpoena for potential violations of Respondent's work rules or conditions of employment regarding neutrality in contested Democratic primary elections and/or outside employment, and/or for reasons related to third-party requests that an employee be removed, including documents that reflect the identities of those who participated in the investigation, the substance of the investigation, the findings, any actions undertaken as a result of the investigation, the identities of those who undertook such actions or were subject to such actions, and the reasons for any such actions.
15. All documents regarding [REDACTED] engaging in union activities during the period covered by this subpoena.
16. All written communications and all other documents memorializing and/or summarizing Respondent's approval and/or an understanding between Respondent and any employee(s) in which Respondent and the employee(s) address whether and/or the extent to which the employee(s) could engage in outside employment after their hire by Respondent that were written, distributed, or received by [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and/or [REDACTED] during the period covered by this subpoena.
17. All written communications and all other documents memorializing and/or summarizing Respondent's approval and/or an understanding between Respondent and any employee(s) in which Respondent and the employee(s) address whether and/or the extent to which the employee(s) could engage in activity that could be construed by Respondent as endorsing or supporting any candidate in a contested Democratic primary that were written, distributed, or received by [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and/or [REDACTED] during the period covered by this subpoena.
18. All written communications and all other documents from individuals not employed by Respondent related to the Union's organizing campaign, contract negotiations between Respondent and the Union, and/or the Union's social media posts that were received or read by [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and/or [REDACTED] during the period covered by this subpoena.

19. All written communications and all other documents from individuals not employed by Respondent related to the Union's online petition posted on about July 15, 2020 soliciting public support for the Union in its contract negotiations with Respondent that were received or read by (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), and/or (b) (6), (b) (7)(C) during the period covered by this subpoena.
20. All written communications and all other documents including, but not limited to, Slack messages memorializing and/or summarizing negotiations between Respondent and the Union and/or the Union's social media posts that were written, distributed, or received by (b) (6), (b) (7)(C) during the period covered by this subpoena.
21. All written communications and all other documents memorializing and/or summarizing (b) (6), (b) (7)(C) access to Respondent's Voter Activation Network software account(s) of (b) (6), (b) (7)(C) and/or (b) (6), (b) (7)(C).
22. All written communications and all other documents memorializing and/or summarizing (b) (6), (b) (7)(C) work on (b) (6), (b) (7)(C) during the period covered by this subpoena.
23. All written communications and all other documents memorializing and/or summarizing (b) (6), (b) (7)(C) work on any Democratic primary candidate(s) campaign other than (b) (6), (b) (7)(C) during the period covered by this subpoena.
24. All written communications and all other documents memorializing and/or summarizing (b) (6), (b) (7)(C) access to the Voter Activation Network software account(s) of (b) (6), (b) (7)(C) and/or (b) (6), (b) (7)(C) during the period covered by this subpoena.
25. All voluntary recognition agreements between Respondent and the Union during the period covered by this subpoena.
26. All collective-bargaining agreements between Respondent and the Union during the period covered by this subpoena, including tentative agreements, letters of understanding, and all memoranda of agreement covering wages, hours, and other terms and conditions of employment of employees of Respondent.
27. All documents including, but not limited to, bargaining notes reflecting negotiations with the Union on about July 14, 2020.

In lieu of the items specified in paragraphs 5, 7, 13, 18 and 19 a written summary, signed and sworn to by an officer, compiled from the subpoenaed documents containing all the information called for in those paragraphs may be furnished; provided that all records called for by those paragraphs, and all others used in the compilation of the summary are made available to an agent of the National Labor Relations Board for the purpose of checking the accuracy of the summary, sufficiently in advance of the hearing to enable the accuracy to be verified.